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Draft Chesapeake Bay Total Maximum Daily Load

Comment On: EPA-R03-OW-2010-0736-0001

Clean Water Act Section 303(d): Notice for the Public Review of the Draft Total Maximum Daily Load (TMDL) for the Chesapeake Bay

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Submitter Information

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Government Agency Type: Local

Government Agency: Cumberland County, PA

General Comment

1. WWTPs have already made substantial reductions in nutrient discharge through PA DEP's Chesapeake Bay Tributary Strategy. These improvements have come at the expense of millions of dollars to WWTP ratepayers despite the majority of the nutrient loadings coming from non-point sources . Further reductions from WWTPs will require expensive upgrades to sewer infrastructure that was just upgraded within the past 5 years to meet the Tributary Strategy. Future nutrient reductions should be directed toward the nonpoint sources that comprise the majority of the Bay's nutrient loading.
2. There are substantial resource needs that have not been addressed to implement the TMDL. Pennsylvania is facing a nearly \$3 billion deficit in 2011. Programs for agriculture nutrient reduction or stormwater management have been or will be severely reduced. In

particular, PA's stormwater management program budget was zeroed out in the 2010 budget. Significant new financial resources will be required to implement the TMDL. Neither the TMDL or PA DEP's WIP has identified the funding sources that will support implementation of the necessary nutrient reduction measures.

3. EPA needs to consider the level of government that will implement the TMDL and the associated implications. The TMDL will span several states ,all with different governmental structures and associated powers. Regardless of the state, the TMDL will create a huge administration and enforcement burden for the implementing level of government. PA DEP has suggested that counties are a likely level of government for implementation. In PA, County planning departments and county conservation districts have extremely limited staff and resources and often have to work with municipalities or farmers to accomplish agriculture or stormwater management regulatory objectives. Without additional resources, these two organizations will not be able to implement, administer, or enforce the TMDL.